IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION

CIVIL APPLICATION NO. 2745 OF 2005
IN
WRIT PETITION NO. 5528 OF 1988

Shri Sambhajirai H. Sawant Bhosale,
since deceased through heirs & LRs:-
1-A. Shri Ranjit alias Shivajirao
S. Sawant-Bhosale and Ors. .. Applicants.

V/s.

Narsu Babaji Patil, since deceased
1. Shri Sakharam Narsu Patil, since
deceased by his LRs:-
1A. Smt. Sakuntala S. Patil & Ors. ..Respondents.

Mr.A.S.Khandeparkar i/by R.G.Ketkar for the Applicants

None for the respondent.

CORAM : S. B. MHASE, J.
DATED : 24TH MARCH, 2006.

P.C.:

1. Rule was granted by this court on 3rd February, 2006. It is served on the respondents. Respondents are absent.

2. By this application, the petitioners/applicants have requested to restore the civil application stamp No. 42543/2003 since the same was rejected on the ground that it does not survive as heirs of the petitioners were not brought on record. Now the heirs of the petitioners have been brought on record by civil

application (stamp) No. 2295/2002 and civil application No. 2744/2005 and the order passed therein; and thereby the heirs of the petitioners have been brought on record.

3. Taking into consideration these aspects, the Civil Application No. 2745/2005 is hereby allowed and C.A. (St.)No. 42543/2003 is restored.

4. C.A. No. 2745/2005 is disposed of.

24.03.2006 (S.B.MHASE,J)

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